

APPROVED

**BOARD OF DENTISTRY
MINUTES OF BOARD MEETING**

Friday, April 4, 2003

**Department of Health Professions
6603 West Broad Street
Richmond, Virginia 23230-1712
Conference Room 1**

CALL TO ORDER: A meeting of the Virginia Board of Dentistry was called to order at 9:25 a.m.

PRESIDING: Gary E. Taylor, D.D.S., President

MEMBERS PRESENT: Trudy Levitin, R.D.H., Vice-President
James D. Watkins, D.D.S. Secretary-Treasurer
Nora M. French, D.M.D.
Michael J. Link, D.D.S.
Gopal S. Pal, D.D.S.
Harold S. Seigel, D.D.S.
Deborah Southall, R.D.H.
Robert Winters, Esquire

MEMBERS ABSENT: Darryl Lefcoe, D.D.S.

STAFF PRESENT: Sandra K. Reen, Executive Director
JeAnne Marshall, Administrative Assistant
Bob Nebiker, Director DHP
Elaine Yeatts, Senior Policy Analyst

COUNSEL PRESENT: Howard Casway, Assistant Attorney General

QUORUM: With nine members of the Board present, a quorum was established.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES: On a properly seconded motion by Dr. Link, the Board moved to approve the Minutes of the General Board Meetings of November 8, 2002 and January 10, 2003 and the Conference Call Meeting of January 31, 2003.

LEGISLATION AND REGULATION: **Regulatory Update:** Ms. Yeatts reported on the status of the following regulatory initiatives:

- **General Supervision:** The proposed regulations have been amended to conform to the provisions of SB 1090 to allow dental hygienists under general

supervision to administer topical drugs. The comment period will end on April 25, 2003 and the Board is scheduled to adopt proposed final regulations at its May 16, 2003 meeting.

- **Voluntary Practice:** The final regulations have been amended to conform to the provisions of HB 1900 to eliminate the requirements that the nonprofit organization have no paid staff and provide services throughout the world. The Board was asked to consider adoption of the final regulations. **On a properly seconded motion by Ms. Southall, the Board moved to adopt the regulations as amended.**
- **Regulatory Review:** Following his review, Mr. Nebiker requested that the Board consider several amendments to the proposed Regulations Governing The Practice of Dentistry and Dental Hygiene that was approved by the Board on December 4, 2002. The Board reviewed and amended staff proposals. **On a properly seconded motion by Dr. Link, the Board unanimously voted to approve the proposed regulations as amended.** These regulations will continue through the administrative review process before being released for public comment. Dr. Burns letter regarding these regulations will be acknowledged and will be considered when public comment is addressed.

Legislative Update: Bob Nebiker provided an overview of the provisions for changes in the Board's disciplinary process that are to be implemented as a result of passage of HB 1441(SB1334). The changes include provisions for confidential consent agreements, for increased data reporting and invests authority to the director of DHP to issue summonses regarding unlicensed practice and to levy fines. He further reported that HB 1792 had been amended to have the court system address the collection of bad debts.

BOARD DISCUSSION:

Letter from Chris R. Stark, Anthem Blue Cross and Blue Shield: Ms. Reen presented and discussed the proposal submitted by Mr. Stark requesting approval of CE credits for

their OSHA conferences. On a properly seconded motion by Dr. Watkins the Board approved the for program for CE credits.

ADHA and VDHA Letters: The Board was advised that the issue addressed in this letter – the ADA's revised definition of the code for adult prophylaxis – has already been addressed by the ADA so discussion and possible action by the Board is no longer needed.

**EXECUTIVE DIRECTOR'S
REPORT:**

Presentation Slides for the Board of Dentistry: Ms. Reen advised that she wanted Board members to be aware that a presentation is available. She indicated that it would need to be updated as policies and practices change and that it could be developed to include more in-depth information on areas of interest such as dental assistants and general supervision. Mr. Casway recommended that it not be used again until it is updated to address the new requirements such as confidential consent agreements.

Newsletter: Ms. Reen reported that the newsletter was included in the agenda package for the Board's review and comment. She advised that distribution had been delayed and she would continue working on timelier mailing.

AADE Advocacy Relations Manual: Ms. Reen circulated the manual for member review and was advised having one copy in the office was adequate.

Budget Review and Development: Mr. Nebiker explained the budget process and the role of the Board of Health Professions in addressing the indirect cost centers and adoption of the budget. Ms. Reen reviewed the FY2002 revenue and expenditure summaries for the three cost centers, Dentistry, Dentistry and Nursing Administrators and SRTA. The Board was asked if it had any concerns or recommendations regarding the cost of operations, potential new expenses or the allocation of funds. The Board requested that Ms. Reen investigate having investigation reports and other documents that need to be reviewed scanned and e-mailed rather than continuing to make copies and mailing. During the discussion of this suggestion it was

agreed that on-line access would be explored.

Case Status Reports: The most recent reports were distributed.

Venue for Formal Hearing: Ms. Reen advised the Board that Dr. Schecht has requested that his Formal Hearing be scheduled in Northern Virginia. The Board decided to hold its July 10 and 11th meeting in Northern Virginia to accommodate this request. If a conflict arises with these dates the Board directed that the hearing should be scheduled for June 4, 2003.

ADJOURNMENT

With all business concluded, the Board adjourned at 12:30 p.m.

Gary E. Taylor, President

Sandra K. Reen, Executive Director

Date

Date